UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/550,583	09/22/2005	Hiroki Hashi	S1459.70084US00	1383

23628   7590   09/24/2008
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EXAMINER
LEE IV, THOMAS E

ART UNIT	PAPER NUMBER
4142	

MAIL DATE	DELIVERY MODE
09/24/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>22 September 2005</u>.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-8</u> is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) <u>1-8</u> is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.
10)☒ The drawing(s) filed on <u>22 September 2005</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☒ All   b)☐ Some * c)☐ None of:
      1.☒ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :03/08/2007, 10/30/2006, 08/24/2006, 09/22/2005.

DETAILED ACTION

1.   Claims 1-8 are pending.

Specification

2.   Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

According to MPEP section § 608.01(b) "The sheet or sheets presenting the abstract may not include other parts of the application or other material." Therefore, the drawing references should be removed.

3.   The use of the trademark "LINUX" has been noted in this application. It should be capitalized wherever it appears and be accompanied by the generic terminology.

Although the use of trademarks is permissible in patent applications, the proprietary nature of the marks should be respected and every effort made to prevent their use in any manner which might adversely affect their validity as trademarks.

4.   The disclosure is objected to because of the following informalities:

- "when the access controller has detected the connection of the
  network cable" in paragraph 3 of page 4 should read "when the access
  controller has detected the disconnection of the network cable"; and

- "Ethernet" in paragraph 5 of page 6 states that Ethernet is a registered
  trademark. Ethernet, due to the standardization by IEEE, no longer
  maintains registered trademark status.

Appropriate correction is required.

Claim Objections

5.   Claims 1-4, 6 and 8 are objected to because of the following informalities:

- "there" in claim 1, line 7 is not clear, thus causing the limitation being
  indefinite;

- "it" in claim 2, line 5 is not clear, thus causing the limitation being
  indefinite;

- "when said access controller has detected the connection" in claim 3, line
  3 should read "when said access controller has detected the
  disconnection";

- "an OS in said micro-computer is an non-event-driven type OS" in claim 4,
  line 3, should read "an OS in said micro-computer is **a** non-event driven
  type OS";

- "it" in claim 6, line 4 is not clear, thus causing the limitation being
  indefinite; and

- • "an OS in said micro-computer is an non-event-driven type OS" in claim 8,

   line 2, should read "an OS in said micro-computer is **a** non-event driven

   type OS".

Appropriate correction is required.

Claim Rejections - 35 USC § 102

6.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7.   Claims 1-2 and 5-7 are rejected under 35 U.S.C. 102(b) as being anticipated by

Booth (U.S. Patent 6,065,073).

With regards to claim 1, Booth teaches a method for supervising the connection

to a network of an electronic apparatus including an access controller for detecting the

occurrence of electrical connection or disconnection of a network cable, and a micro-

computer, comprising a step of supplying a detection output of said access controller as

an interrupt signal to said micro-computer (i.e., a network interface card (NIC) controls

the access between the computer system and the physical layer, or electrical

connection, figure 5 and column 12, lines 18-31, and is monitoring an inactive link for

activity and generating a CPU interrupt for when the link is active, figure 9 and column

17, lines 1-14, or monitoring for the loss of a network link, figure 9 and column 16, lines

23-31, thus providing monitoring status to a host CPU); and a step of said micro-

computer executing the processing for the connection or the disconnection of said

network cable in case there has occurred an interrupt by said detection output of said

access controller (i.e., the computer may decide to attempt another connection, allow

for a manually established connection, attempt to reestablish the link, or return to

monitoring the connection, figure 9 and column 16, lines 23-66).

With regards to claim 2, Booth teaches when an access controller has detected

the connection of said network cable, said micro-computer detects a link to said

network, and wherein when the link has been detected as being established, said micro-

computer executes the processing for accessing the network (i.e., the CPU detects the

link to the network via an interrupt and must service the interrupt, thus providing

processing for accessing the network, Abstract, figure 9 and column 16, paragraph,

lines 9-67 and column 17, lines 1-14).

With regards to claim 5, Booth teaches an electronic apparatus comprising a

connector jack for connection of a network Cable (PHY Device 440, figure 5); an access

controller for detecting that electrical connection or disconnection for the network cable

has occurred at said connector jack; and a micro-computer wherein a detection output

of said access controller is supplied as an interrupt signal to said micro-computer (i.e.,

the NIC monitors an inactive link for activity and generating a CPU interrupt for when

the link is active, figure 9 and column 17, lines 1-14, or monitoring for the loss of a

network link, figure 9 and column 16, lines 23-31, thus providing monitoring status to a

host CPU); and wherein when an interrupt by a detection output of said access

controller has occurred, said micro-computer executes the processing for connection or

disconnection of said network cable (i.e. the computer may decide to attempt another

connection, allow for a manually established connection, attempt to reestablish the link,

or return to monitoring the connection, column 16, lines 23-66).

With regards to claim 6, Booth teaches when an access controller has detected

the connection of said network cable, said micro-computer detects a link to said

network, and wherein when the link has been detected as being established, said micro-

computer executes the processing for accessing the network (i.e., the CPU detects the

link to the network via an interrupt and must service the interrupt, thus providing

processing for accessing the network, Abstract, and figure 9, column 16 paragraph,

lines 9-67 and column 17, lines 1-14).

With regards to claim 7, Booth teaches when an access controller has detected

the disconnection of said network cable, the micro-computer executes the processing of

not allowing the use of said network (i.e., the CPU detects the link to the network via an

interrupt and must service the interrupt, thus providing processing for not allowing the

use of the network, Abstract, and figure 9, column 16 paragraph, lines 9-67 and column

17, lines 1-14).

Claim Rejections - 35 USC § 103

8.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

9.   Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Booth

(U.S. Patent 6,065,073) in view of Banerjee et al. (US 2004/0122947).

With regards to claim 3, Booth teaches a method for supervising the connection wherein when the access controller has detected the connection of the network cable, the micro-computer executes the processing for accessing the network (i.e., the CPU detects the link to the network via an interrupt and must service the interrupt, thus providing processing for accessing the network, Abstract, and figure 9, column 16 paragraph, lines 9-67 and column 17, lines 1-14). Booth does not explicitly disclose the processing of not allowing the use of the network. However, Banerjee teaches a micro-computer not allowing the use of the network when there is a network connection (i.e., an application executing at a client system, or at the CPU of the client, prevents the access to an available network when a time-limit has expired, page 3, paragraph 0042), in order to provide time managed access to web pages (page 1, paragraph 0011). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Banerjee to the system of Booth in order to provide time managed access to web pages.

10.   Claims 4 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Booth (U.S. Patent 6,065,073) in view of Haller et al. (U.S. Patent 7,149,773 B2).

With regards to claim 4, Booth teaches a method for supervising the connection of a network wherein in the micro-computer a setting is made so that, when the network cable is connected, the use of the network is enabled through the network cable (i.e., the CPU detects the link to the network via an interrupt setting and must service the interrupt, thus providing processing for accessing the network, Abstract, and figure 9, column 16 paragraph, lines 9-67 and column 17, lines 1-14). Booth does not

specifically teach an OS in said micro-computer is a non-event-driven type OS.

However, Haller teaches an OS in said micro-computer is a non-event-driven OS [i.e.,

LINUX] (column 23, lines 53-58), in order to facilitate communication with a remote

computer system via a communication module (column 1, lines 50-60 and column 23,

lines 53-38). Therefore, it would have been obvious to one of ordinary skill in the art at

the time the invention was made to utilize the teachings of Haller to the system of Booth

in order to facilitate communication with a remote computer system via a

communication module.

With regards to claim 8, Booth teaches an electronics apparatus wherein in the

micro-computer a setting is made so that, when the network cable is connected to the

connector jack, the use of the network is enabled through said network cable (i.e., the

CPU, when the network cable is attached, detects the link to the network via an interrupt

setting and must service the interrupt, thus providing processing for accessing the

network, Abstract, and figure 9, column 16 paragraph, lines 9-67 and column 17, lines

1-14). Booth does not specifically teach an OS in said micro-computer is a non-event-

driven type OS. However, Haller teaches an OS in said micro-computer is a non-event-

driven OS [i.e., LINUX] (column 23, lines 53-58), in order to facilitate communication

with a remote computer system via a communication module (column 1, lines 50-60 and

column 23, lines 53-38). Therefore, it would have been obvious to one of ordinary skill

in the art at the time the invention was made to utilize the teachings of Haller to the

system of Booth in order to facilitate communication with a remote computer system via

a communication module.

Conclusion

11.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to THOMAS LEE whose telephone number is (571) 270-7292. The examiner can normally be reached on Monday to Friday, 7:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Hwang can be reached on (571) 272-4036. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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7/31/2008

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